

LRR/jk
10/03/00PATENT APPLICATION
Docket No.: 2506.1013-001

03C0
~~HJ~~

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Derek D. Mahoney, Walter P. Sjursen, Wayne J. Staab and Marvin Leedom

Application No.: 09/524,040 Group: 2743

Filed: March 13, 2000 Examiner: Unassigned

For: ONE-SIZE-FITS-ALL UNI-EAR HEARING INSTRUMENT

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231	
on <u>10-12-00</u>	<u>Hollie Wakefield</u>
Date	Signature
<u>Hollie Wakefield</u>	
Typed or printed name of person signing certificate	

TRANSMITTAL OF FORMAL DRAWINGSAssistant Commissioner for Patents
Washington, D.C., 20231

Sir:

Transmitted herewith are formal drawings, sheets [1/6- 6/6], FIGs. 1-5, 6A, 6B, 7A, 7B, 8, and 9A-9J for filing in the subject patent application. Acceptance of the formal drawings is respectfully requested.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Leo Reynolds
Leo R. Reynolds
Registration No. 20,884
Telephone (781) 861-6240
Facsimile (781) 861-9540

Lexington, MA 02421-4799

Date: 10/12/00

SPECTOR/AS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Derek D. Mahoney, Walter P. Sjursen, Wayne J. Staab,
and Marvin Leedom

Application No.: 09/524,040 Group: 2743

Filed: March 13, 2000

For: One-Size-Fits-All Uni-Ear Hearing Instrument



CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231	
on <u>10-12-00</u>	<u>Hollie Wakefield</u> Signature
Hollie Wakefield Typed or printed name of person signing certificate	

REPLY TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In reply to the Notice to File Missing Parts dated May 15, 2000, the following documents and fees are being submitted for filing in the captioned application:

- [X] **EXECUTED DECLARATION/POWER OF ATTORNEY** - A copy of the Notice is attached.
(Separate transmittal letter and postcard not required)
- [X] **FILING FEE** - with Fee Transmittal for Patent Applications in duplicate.
(Separate transmittal letter and postcard not required)
- [X] **SURCHARGE** - surcharge fee of \$130.00.
(Separate transmittal letter and postcard not required)
- [] **SEQUENCE LISTING** - Filed concurrently and is attached.
(Separate transmittal letter and postcard required)

[X] PETITION FOR EXTENSION OF TIME

[X] Applicant hereby petitions to extend the time to respond to the Notice to File Missing Parts dated May 15, 2000 for three months from July 15, 2000 to October 15, 2000. The appropriate fee of \$890.00 is included in the enclosed check.

[] A [] month extension of time to respond to the Notice to File Missing Parts dated [] was filed on [] with payment of a \$[] fee.

[] Applicant hereby petitions for an additional [] month extension of time to respond to the Notice to File Missing Parts. The appropriate fee of \$[] is included in the enclosed check.

(Separate Petition for Extension of Time and postcard not required)

[] **REQUEST FOR CORRECTED FILING RECEIPT** - Filed concurrently and is attached.

(Separate transmittal letter and postcard required)

[] **VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS**

[] Was filed on [].

[] Is enclosed herewith.

(Separate transmittal letter and postcard not required)

[] In view of the small entity status of the captioned application, we hereby request a reimbursement of 50% of the filing fees in the amount of \$[] which were paid on [] to be deposited in Deposit Account No. 08-0380.

The fees required for filing the indicated documents are enclosed in the form of a check in the total amount of \$1,970.00. Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Leo Reynolds
Leo R. Reynolds
Registration No.: 20,884
Tel.: (781) 861-6240
Fax: (781) 861-9540

Lexington, Massachusetts 02421-4799

Date: 10/12/00

X 3
FORMALITIES LETTER

OC00000005116104

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark OfficeAddress: COMMISSIONER OF PATENT AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/524,040	03/13/2000	Derek D. Mahoney	2506.1013-001

Leo R Reynolds ESQ
 Hamilton Brook Smith & Reynolds PC
 Two Militia Drive
 Lexington, MA 02421-4799

Date Mailed: 05/15/2000



NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 690 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$156.
 - \$156 for 2 independent claims over 3 .
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 976.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

10/16/2000 CCBAU1	00000007 09524040	01 FC:101	02 FC:117	03 FC:105	04 FC:102
		710.00	390.00	130.00	240.00

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

FEE TRANSMITTAL FOR PATENT APPLICATIONS	Attorney Docket Number	2506.1013-001
	Application Number	09/524,040
	First Named Inventor	Derek D. Mahoney

CLAIM CALCULATION (includes any preliminary amendment)

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c) or (j))	18 - 20* =	0	x \$ 18 =	\$ 0
	INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i))	6 - 3** =	3	x \$ 80 =	\$ 240
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$ 270 =	\$
	OCT 16 2000			BASIC FEE (37 CFR 1.16(a) or (h))	\$ 710
			Total of above Calculations =		\$ 950
			Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27, 1.28) =		\$
				TOTAL =	\$ 950
			Surcharge - Late Filing of Declaration or Filing Fees (37 C.F.R. 1.16(e)) =		\$ 130
			Petition for Extension of Time Fee (37 C.F.R. 1.17) =		\$ 890
			Assignment Recordation Fee = (only when filed with application)		\$
	* Reissue claims in excess of 20 and over original patent ** Reissue independent claims over original patent			TOTAL =	\$ 1970

1. Small entity status:

- a. A small entity statement is enclosed.
- b. A small entity statement was filed in the prior non-provisional application and such status is still proper and desired.
- c. Is no longer claimed.

2. A general authorization is hereby granted to charge deposit account number 08-0380 for any fees required under 37 CFR 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.

3. A check is enclosed for \$1,970.00. Please charge \$[] to Deposit Account No. 08-0380.

10/18/2000 CCHAU1 0000007 09524040

4. Other:
 240.00 DP
 690.00 DP
 120.00 DP
 240.00 DP

Signature	Leo Reynolds	Date	10/12/00
Submitted by Typed or Printed Name	Leo R. Reynolds	Reg. Number	20,884